THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.23930 OF 2005

Date:17.11.2005

Between:

P.Bhoomaiah

… Petitioner

AND

The Regional Manager, APSRTC

… Respondent

ORDER:

The petitioner was selected and appointed as a Driver in 1990 by the respondent-Corporation. However, on finding that the driving licence submitted by the petitioner was not genuine, disciplinary proceedings were initiated against him and he was removed from service through order, dated 16.03.1997. Questioning the same, the petitioner raised an industrial dispute before the Labour Court and the same was taken as I.D.No.155 of 1993. The I.D. was dismissed on 07.10.1996. Challenging the same, he filed W.P.No.17223 of 1998, which was dismissed on 14.06.2005. The order of removal became final.

The petitioner submitted an application on 14.07.2005 with a prayer to provide fresh appointment to him as Driver in accordance with the scheme framed in Circular dated 11.08.2000. He states that he has since been obtained a fresh driving licence. His grievance is that no action has been taken thereafter.

Heard the learned counsel for the petitioner and the learned standing counsel for the respondents.

The order of removal passed against the petitioner on the ground that the driving licence obtained by him was not genuine, has become final. The Andhra Pradesh State Road Transport Corporation issued the Circular, dated 11.08.2000, providing certain measures in cases where the Drivers appointed by them are removed from service on the ground that the driving licences are not genuine. Reference is made to the demands made by the employees unions and other circumstances. The Circular provides for reappointment of Drivers so removed in case they have obtained genuine licences thereafter.

The question as to whether the case of the petitioner is covered by the Circular, needs to be considered by the respondents. In case, it emerges that the petitioner is entitled for the benefit there under, he needs to be appointed as a Driver afresh in accordance with the scheme in vogue and if he does not fit into it, he deserves to be informed of the same. The matter cannot be kept pending indefinitely

For the foregoing reasons, the writ petition is disposed of, directing the respondents to consider the case of the petitioner in accordance with the Circular, date 11.08.2000, and communicate the result thereof to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

17.11.2005

kdl